

1 Hon. Timothy W. Dore
2 In Proceedings Under
3 Chapter 7
4 Hearing Date: April 23, 2021
5 Time: 9:30 AM
6 Response Date: April 16, 2021
7 Location: Telephonic

8

9 UNITED STATES BANKRUPTCY COURT
10 WESTERN DISTRICT OF WASHINGTON

11 In re

12 Case No: 20-12450 TWD

13 Beverly Jane Cary,

14 Debtor(s),

15 DEBTOR(S)' MOTION TO CONVERT CASE
16 UNDER CHAPTER 7 TO CASE UNDER
17 CHAPTER 13

18 **NOTICE**

19 PLEASE TAKE NOTICE Debtor(s) motion is seeking TO CONVERT CASE UNDER
20 CHAPTER 7 TO CASE UNDER CHAPTER 13. IS SET FOR HEARING as follows:

21 JUDGE: Timothy W. Dore

22 PLACE: Telephonic

23 TIME: 9:30 AM

Dial: [1-888-363-4749](tel:1-888-363-4749)

Enter Access Code: 2762430#

Press the # sign

Enter Security Code when prompted: 5334#

Speak your name when prompted

24 IF YOU OPPOSE the Motion, you must file your written response with the court
25 clerk, and deliver copies to the undersigned NOT LATER THAN THE RESPONSE
DATE, which is April 16, 2021.

26 IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its discretion, GRANT
27 THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER NOTICE, and strike the hearing.

28 DEBTOR(S)' MOTION TO CONVERT CASE
29 UNDER CHAPTER 7 TO CASE UNDER CHAPTER
30 13 -- 1

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33 Kent, WA 98032
34 (253) 631-6484

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MOTION

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Pursuant to 11 U.S.C. § 706(a), the above named Debtor requests this court to convert this case under Chapter 7 to a case under Chapter 13, and as grounds states as follows:

1. An order for relief under Chapter 7 of the Bankruptcy Code was entered on September 25, 2020;
2. While a discharge was entered in the Chapter 7 on December 23, 2020, Debtor agrees that none of the creditors should be barred from filing claims in the converted case nor be barred from distributions because of that discharge;
3. The trustee has not indicated a willingness to abandon Debtor's home even though all equity was fully exempted;
4. No parties have obtained an Order for Relief From Stay;
5. Debtor is eligible to be debtors under Chapter 13 of the Code and desires to convert this case to a case under that chapter; and
6. The case has not been converted under 11 U.S.C. § 1112, or § 1208, or § 1307.

WHEREFORE, the Debtor prays that this court convert this case under chapter 7 to a case under Chapter 13 of the Bankruptcy Code.

DATED: March 23, 2021

/S/ Mark C McClure
Mark C. McClure, WSBA # 24393
Attorney for Debtor(s)

DEBTOR(S)' MOTION TO CONVERT CASE
UNDER CHAPTER 7 TO CASE UNDER CHAPTER
13 -- 2

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